

APPENDIX A

NOTICE OF PREPARATION AND SCOPING MEETING NOTICE



NOTICE OF SCOPING MEETING & PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT

To: State Clearinghouse, Property Owners, Responsible and Trustee Agencies/Interested Organizations and Individuals

From: City of Menifee

Subject: Notice of Preparation (NOP) and Public Scoping Meeting Notice for a Draft Environmental Impact Report (DEIR) for the proposed “Motte Business Center” Project; Vesting Tentative Parcel Map (TPM) No. 38432 (PLN22-0114), and Major Plot Plan No. (PLN22-0115)

Scoping Meeting: To be held in-person on Monday, December 12, 2022 at 6 p.m.
Additional information provided below

Comment Period: December 6, 2022 through January 16, 2023

Notice of Preparation of a Draft Environmental Impact Report (DEIR):

The City of Menifee (City) will serve as the Lead Agency under the California Environmental Quality Act (CEQA) and will be responsible for the preparation of a DEIR for the Project referenced above. The DEIR will evaluate the potential significant environmental impacts that may result from the Project, a planned fulfillment warehouse building and associated infrastructure on 43.94 net-acres. Project-related improvements would occur on a site generally located southeast of the interstate 215/Ethanac Road interchange in the northeastern part of the City of Menifee, County of Riverside, State of California. The Project site is generally bounded by a Riverside County Flood Control channel, Southern California Edison utility lines and future McLaughlin Road to the south, Ethanac Road to the north, Antelope Road to the east, and Dawson Road to the west, and consists of eight parcels total (Assessor Parcel Numbers: 331-150-036, 331-150-037, 331-150-039, 331-150-040, 331-150-041, 331-150-042, 331-150-044, 331-150-045). Refer to **Figure 1, Local Vicinity Map**.

Project Description:

The Motte Business Center (herein after “proposed Project” or “Project”) site consists of predominately vacant undeveloped land that has been subject to a variety of anthropogenic disturbances associated with prior ground disturbance activities and discing. There is an existing scaffold corporate yard and associated out structures located on APNs: 331-150-045, 331-150-040, and 334-150-039. The Project would include the construction of a concrete tilt-up building that would total 1,138,638 square feet (including 10,000 square feet of office space, and 200,000 square feet of mezzanine) and proposes a structural height of 50 feet, 610 automobile parking spaces, and 282 truck trailer parking spaces.

Associated facilities and improvements of the Project include loading dock doors, on-site landscaping, and related on-site and off-site improvements (roadway improvements, sewer, storm drain, utilities). Reference **Figure 2, Site Plan**.

The following entitlement applications are associated with the proposed Project:

Vesting Tentative Parcel Map No. 38432 (PLN22-0114) proposes to combine (APNs 331-150-036, 331-150-037, 331-150-039, 331-150-040, 331-150-041, 331-150-042, 331-150-044, 331-150-045) into one parcel for a total of 43.94 net-acres.

Plot Plan No. PLN22-0115 proposes to construct one concrete tilt-up building totaling 1,138,638 square feet which includes 10,000 square feet of office, 928,638 square feet of ground floor warehouse and 200,000 square feet of mezzanine warehouse on an approximately 43.94 net acre project site. The building proposes a structural height of approximately 50 feet and includes 610 automobile parking spaces, 282 truck trailer parking spaces, and 128 dock doors.

Potential Environmental Effects:

The following environmental effects are anticipated to be addressed in the EIR: Aesthetics, Agriculture, Air Quality, Biological Resources, Cultural Resources, Energy, Geology/Soils, Greenhouse Gases, Hazards and Hazardous Materials, Hydrology/Water Quality, Land Use/Planning, Mineral Resources, Noise, Population/ housing, Public Services, Transportation/Traffic, Tribal Cultural Resources, and Utilities/Service Systems, and Wildfire.

The Project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (California Department of Toxic Substances Control list of various hazardous sites).

Agency/Public Comments:

This transmittal constitutes the official Notice of Preparation (NOP) for the proposed Project Draft EIR and serves as a request for environmental information that you or your organization believe should be included or addressed in the proposed EIR document. Please be sure to address the scope and content of environmental information or issues that may relate to your agency's statutory responsibilities in connection with the proposed Project.

EIR Public Scoping Meeting:

Notice is hereby given that the City of Menifee, Community Development Department will hold a Scoping meeting for the general public and any interested agencies regarding the proposed EIR addressing the proposed Project. The Scoping meeting will be held on **December 12, 2022, at 6:00 p.m.** The scoping meeting will be held at:

City of Menifee, City Council Chambers
29844 Haun Road
Menifee, CA 92586

Purpose of the Notice of Preparation:

The purpose of this NOP is to fulfill legal notification requirements and inform the public, and CEQA Responsible and Trustee Agencies, that an EIR is being prepared for the proposed Project by the City. This NOP solicits agency and interested party concerns regarding the potential environmental effects of implementing the proposed Project at the Project location. CEQA encourages early consultation with private persons and organizations that may have information or may be concerned with any potential adverse environmental effects related to physical changes in the environment that may be caused by implementing the project. Responses to the NOP that specifically focus on potentially significant environmental issues are of particular interest to the City of Menifee. All comment letters to this NOP will be included in the appendices to the EIR. The content of the responses will help guide the focus and scope of the EIR in accordance with State CEQA Guidelines.

Public Comment Period:

Based on the time limits defined by CEQA, the 30-day public review/comment period on the Notice of Preparation will commence on **December 6, 2022, and conclude on January 16, 2023, at 5:00 p.m.** Materials for the Project may be downloaded from the City's website:

<https://www.cityofmenifee.us/325/Environmental-Notices-Documents>

Materials for the Project are also available for review at:

Menifee City Hall
Community Development Department
29844 Haun Road
Menifee, CA 92586

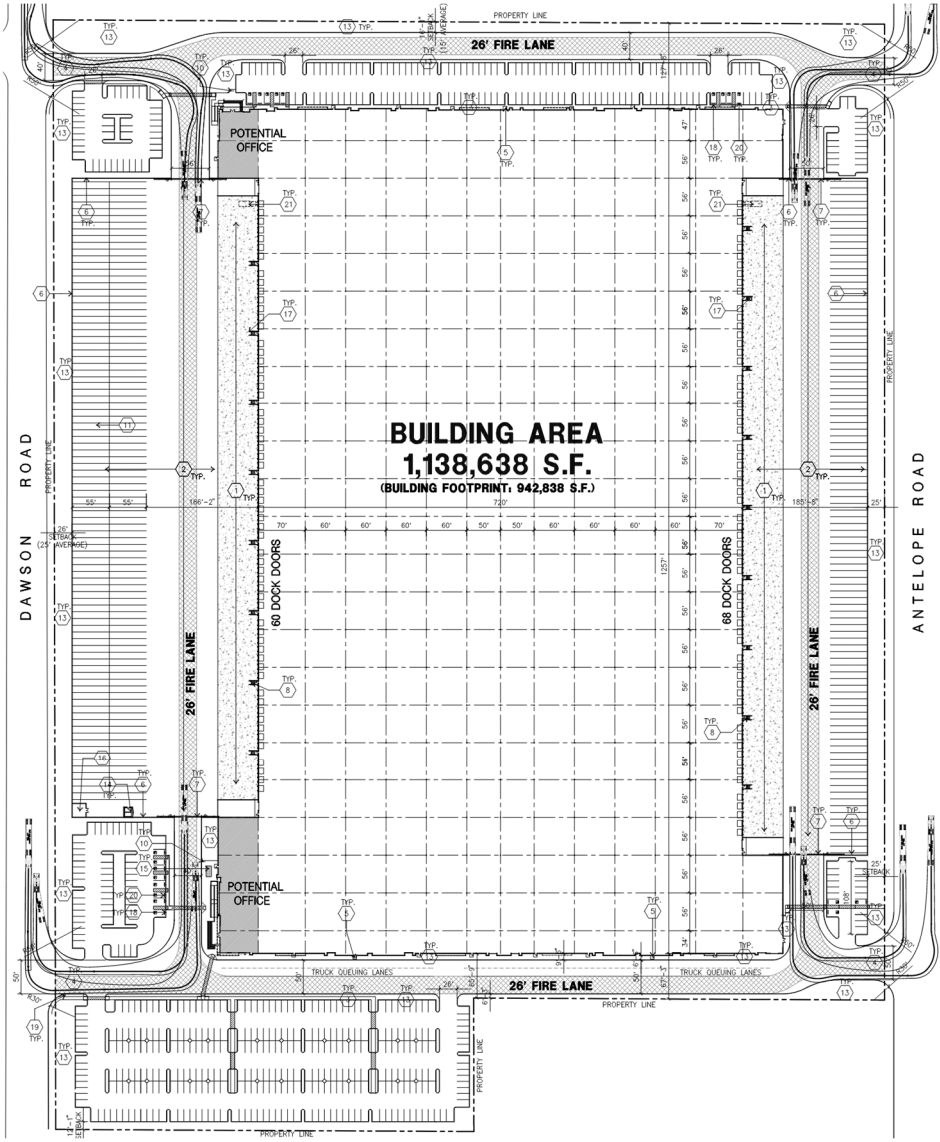
Any responses must be submitted to the City of Menifee, Community Development Department at the earliest possible date, but no later than the **January 16, 2023**, deadline. Comments must be submitted in writing, or via email, to:

Brett Hamilton, Senior Planner
City of Menifee, Community Development Department
29844 Haun Road
Menifee, CA 92586
(951) 723-3747
bhamilton@cityofmenifee.us

Figure 1
Local Vicinty Map



Figure 2
Site Plan



DEPARTMENT OF TRANSPORTATION

DISTRICT 8

PLANNING

464 WEST 4th STREET, 6th Floor MS 725

SAN BERNARDINO, CA 92401-1400

PHONE (909) 383-4557

FAX (909) 383-6890

TTY (909) 383-6300

*Flex your power!
Be energy efficient!*

December 7, 2022

City of Menifee
Brett Hamilton
29844 Haun Road
Menifee, California 92586

Motte Business Center NOP (PLN22-0114). Riv-215-PM 22.754

Mr. Hamilton,

We have completed our review for the above notification for the project located east of Interstate 215 (I-215) in the City of Menifee south of Ethanac Road, west of Antelope Road and east of Dawson Road. This project calls for the construction of a concrete tilt-up building totaling 1,138,638 square-feet. Site development also includes 610 automobile parking spaces, and 282 truck trailer parking spaces.

As the owner and operator of the State Highway System (SHS), it is our responsibility to coordinate and consult with local jurisdictions when proposed development may impact our facilities. As the responsible agency under the California Environmental Quality Act (CEQA), it is also our responsibility to make recommendations to offset associated impacts with the proposed project. Although the project is under the jurisdiction of the City of Menifee due to the Project's potential impact to State facilities it is also subject to the policies and regulations that govern the SHS.

We do not anticipate a significant amount of traffic to be generated from this site to adversely impact the nearest SHS facilities. We therefore have no comments to offer currently.

However, if this development proposal is later modified in any way, the above comment may become invalid. Please forward copies of revised plans as necessary so that we may reevaluate all proposed changes for possible impact to the nearby State Highways.

When development does occur, any work performed within the SHS will require review and issuance of a Caltrans Encroachment Permit. As part of the encroachment permit process, the developer must provide evidence of City entitlement along with appropriate environmental approval for potential environmental impacts to State Highway R/W. Additional information will be provided in the event encroachment is later determined necessary.

Mr. Hamilton
December 7, 2022
Page 2

If you have any questions regarding this letter, please contact Talvin Dennis at (909) 963-9608 for assistance.

Sincerely,

Rosa F. Clark

ROSA F. CLARK
Office Chief
Land Development Review



RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

January 13, 2023

Submitted via email to: bhamilton@cityofmenifee.us

Mr. Brett Hamilton
City of Menifee
Community Development Department
29844 Haun Road
Menifee, CA 92586

Dear Mr. Hamilton:

Re: Notice of Scoping Meeting and Preparation of
a Draft Environmental Impact Report (EIR)
for the Motte Business Center

This letter is written in response to the Notice of Preparation (NOP) of a Draft Environmental Impact Report (EIR) for the Motte Business Center Project (Project). The Project consists of predominately vacant undeveloped land and would include an application for the construction of one concrete tilt-up building. Associated facilities and improvements of the Project site include loading dock doors, onsite landscaping and related onsite and offsite improvements (roadway improvements, sewer, storm drain, utilities).

The Riverside County Flood Control and Water Conservation District (District) has reviewed the NOP and has the following comments regarding the Project:

1. Please be advised if any work involves District rights of way or easements, it will require an encroachment permit from the District. As part of the encroachment permit process, the applicant will be required to submit a series of documents, including, but not limited to:
 - a. A copy of the Final EIR, including all technical appendices, which addresses impacts to District facilities, easements, and rights of way. **Please include the District as a Responsible Agency in the Final EIR** to help expedite the encroachment permit process.
 - b. Regulatory permits may be required to comply with Section 404/401 of the Clean Water Act and Section 1600 of the California Fish and Game Code if work within District rights of way or easements will occur within potentially jurisdictional areas. Prior to issuance of the encroachment permit, the District will need proof of applicable regulatory permits or documentation that these permits are not required to be submitted for review. The District will need to verify that the permits cover temporary construction impacts as well as permanent impacts. Regulatory permits may be submitted as part of your submittal for an encroachment permit. Please be sure to include plans and exhibits that indicate the specific location of where temporary and permanent impacts will occur.
 - c. The Project proponent will need to demonstrate that all Project related activities within District rights of way or easements are consistent with the Multiple Species Habitat Conservation Plan (MSHCP). The EIR should include an MSHCP consistency analysis addressing, at minimum, Sections 6.1.2, 6.1.3, 6.1.4, 6.3.2, 7.3.7, 7.5.3, and Appendix C of the MSHCP.

City of Menifee

-2-

248241

January 13, 2023

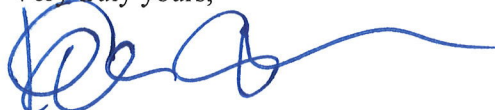
Re: Notice of Scoping Meeting and Preparation of
a Draft Environmental Impact Report (EIR)
for the Motte Business Center

To obtain further information on the encroachment permit application and issuance process, please contact Devraj Oza of the Encroachment Permit Section at 951.955.1266.

2. Please note that if a project proposes storm drains 36 inches or larger in diameter, the District would consider accepting ownership of such facilities upon written request by the City. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection, and administrative fees will be required. To obtain further information regarding the design requirements for the District to accept developer-built facilities, please contact Ruddy Argueta of the District's Plan Check Section at 951.955.1239.

Thank you for the opportunity to review this notice. Please forward any subsequent environmental documents regarding the Project to my attention at this office. If you have any questions or need additional information regarding the comments on this letter, please contact Jerry Aguirre at 951.955.1245 or me at 951.955.1526.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'Kevin Cunningham', with a long horizontal flourish extending to the right.

KEVIN CUNNINGHAM
Environmental Project Manager

cc: Ruddy Argueta
Kyle Gallup
Amy McNeill
Jerry Aguirre

JA:ju

From: Brett Hamilton <bhamilton@cityofmenifee.us>
Sent: Wednesday, December 7, 2022 11:26 AM
To: Cano, Kari
Cc: Kelly, Jon
Subject: FW: Motte Business Center Notice of Preparation (NOP)

Categories: External

From: Pacino, Brian <Brian.Pacino@jacobs.com>
Sent: Wednesday, December 7, 2022 11:14 AM
To: Brett Hamilton <bhamilton@cityofmenifee.us>
Cc: MCDANIEL, JAMES R GS-11 USAF AFRC 452 MSG/CECP <james.mcdaniel.17@us.af.mil>
Subject: RE: Motte Business Center Notice of Preparation (NOP)

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Brett,

On behalf of the March ARB Base Civil Engineer, as the proposed Motte site is nearly ten miles south of Runway 14/32, there should be no adverse operational impacts on Base.
Thanks for keeping Base in the loop.

V/r,
Brian

Brian J. Pacino
Contractor, 452d MSG/CECP
March ARB

Brian J. Pacino, AICP | Jacobs | Strategic Consulting – People & Places Solutions |
703.627.3010 mobile | brian.pacino@jacobs.com | www.jacobs.com

From: Brett Hamilton <bhamilton@cityofmenifee.us>
Sent: Tuesday, December 6, 2022 7:59 AM
To: Brett Hamilton <bhamilton@cityofmenifee.us>
Subject: [EXTERNAL] Motte Business Center Notice of Preparation (NOP)

Good morning,

Please see the attached Notice of Preparation (NOP) and notice of a scoping meeting for the Motte Business Center project. The comment period has been lengthened beyond the minimum 30 days due to the upcoming holidays and brief closure of City Hall. The comment period will run from today, December 6th, to January 16th. The state clearinghouse number for the project is [2022120083](#). The attached notice can also be viewed on the [city's website](#).

City hall will be closed starting Friday, December 23rd and will re-open on Monday, January 2nd.

Please let me know if you have any questions or comments.

Thank you,

Brett Hamilton, AICP | Senior Planner

Community Development Department – Planning Division

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City of Menifee | 29844 Haun Road | Menifee, CA 92586

Direct: (951) 723-3747 | City Hall: (951) 672-6777 | Fax: (951) 723-2579

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From: Brett Hamilton <bhamilton@cityofmenifee.us>
Sent: Wednesday, December 14, 2022 1:36 PM
To: Cano, Kari
Cc: Kelly, Jon
Subject: FW: SWMSRCC - [City of Menifee, Motte Business Center] - 12/12 Scoping Meeting

Categories: External

Kari,

See below email. It's not necessarily a comment in response to the NOP, more of an inquiry. Nonetheless, I am forwarding to keep everyone in the loop.

Best,

Brett Hamilton, AICP | Senior Planner
Direct: (951) 723-3747 | City Hall: (951) 672-6777 |
bhamilton@cityofmenifee.us | www.cityofmenifee.us

From: Jonathan Montano <jonathan@mitschtsailaw.com>
Sent: Wednesday, December 14, 2022 10:59 AM
To: Brett Hamilton <bhamilton@cityofmenifee.us>
Cc: Info Mitschtsailaw <info@mitschtsailaw.com>; Mary Mitschtsailaw <mary@mitschtsailaw.com>
Subject: SWMSRCC - [City of Menifee, Motte Business Center] - 12/12 Scoping Meeting

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Good morning Mr. Hamilton,

Our office would like to inquire on the outcome of the scoping meeting that took place on 12/12/2022 regarding the Motte Business Center project.

Can you please provide an update as to the outcome of the meeting and the next steps in the process?

Additionally, is there a video or audio recording of this meeting that is available to view?

Many thanks for your assistance.

--

Jonathan Montano
Paralegal
Mitchell M. Tsai, Attorney At Law
139 South Hudson Avenue Suite 200
Pasadena, CA 91101
Phone: (626) 314-3821
Fax: (626) 389-5414
Email: jonathan@mitchtsailaw.com
Website: <http://www.mitchtsailaw.com>

*** Our Office Has Recently Moved. Please Note New Mailing Address ***

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January 16, 2023

Brett Hamilton, Senior Planner
City of Menifee, Community Development Department
29844 Haun Road
Menifee, California 92586
Phone: (951) 723-3747
E-mail: bhamilton@cityofmenifee.us

**RE: SCAG Comments on the Notice of Preparation of a Draft Environmental Impact Report
for the Motte Business Center [SCAG NO. IGR10791]**

Dear Brett Hamilton,

Thank you for submitting the Notice of Preparation of a Draft Environmental Impact Report for the Motte Business Center ("proposed project") to the Southern California Association of Governments (SCAG) for review and comment. SCAG is responsible for providing informational resources to regionally significant plans, projects, and programs per the California Environmental Quality Act (CEQA) to facilitate the consistency of these projects with SCAG's adopted regional plans, to be determined by the lead agencies.¹

Pursuant to Senate Bill (SB) 375, SCAG is the designated Regional Transportation Planning Agency under state law and is responsible for preparation of the Regional Transportation Plan (RTP) including the Sustainable Communities Strategy (SCS). SCAG's feedback is intended to assist local jurisdictions and project proponents to implement projects that have the potential to contribute to attainment of Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) goals and align with RTP/SCS policies. Finally, SCAG is the authorized regional agency for Intergovernmental Review (IGR) of programs proposed for Federal financial assistance and direct Federal development activities, pursuant to Presidential Executive Order 12372.

SCAG staff has reviewed the Notice of Preparation of a Draft Environmental Impact Report for the Motte Business Center in Riverside County. The proposed project includes the construction of one concrete tilt-up building totaling 1,138,638 square feet with 10,000 square feet of office, 928,638 square feet of ground floor warehouse, 200,000 square feet of mezzanine warehouse, 610 car parking spaces, and 282 trailer truck parking spaces on a 43.94-acre site.

When available, please email environmental documentation to IGR@scag.ca.gov providing, at a minimum, the full public comment period for review.

If you have any questions regarding the attached comments, please contact the Intergovernmental Review (IGR) Program, attn.: Annaleigh Ekman, Associate Regional Planner, at (213) 630-1427 or IGR@scag.ca.gov. Thank you.

Sincerely,

Frank Wen, Ph.D.
Manager, Planning Strategy Department

¹ Lead agencies such as local jurisdictions have the sole discretion in determining a local project's consistency with the 2020 RTP/SCS (Connect SoCal) for the purpose of determining consistency for CEQA.

**COMMENTS ON THE NOTICE OF PREPARATION OF A
DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE
MOTTE BUSINESS CENTER [SCAG NO. IGR10791]**

CONSISTENCY WITH CONNECT SOCIAL

SCAG provides informational resources to facilitate the consistency of the proposed project with the adopted 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS or Connect SoCal). For the purpose of determining consistency with CEQA, lead agencies such as local jurisdictions have the sole discretion in determining a local project's consistency with Connect SoCal.

CONNECT SOCIAL GOALS

The SCAG Regional Council fully adopted [Connect SoCal](#) in September 2020. Connect SoCal, also known as the 2020 – 2045 RTP/SCS, builds upon and expands land use and transportation strategies established over several planning cycles to increase mobility options and achieve a more sustainable growth pattern. The long-range visioning plan balances future mobility and housing needs with goals for the environment, the regional economy, social equity and environmental justice, and public health. The goals included in Connect SoCal may be pertinent to the proposed project. These goals are meant to provide guidance for considering the proposed project. Among the relevant goals of Connect SoCal are the following:

SCAG CONNECT SOCIAL GOALS	
Goal #1:	<i>Encourage regional economic prosperity and global competitiveness</i>
Goal #2:	<i>Improve mobility, accessibility, reliability and travel safety for people and goods</i>
Goal #3:	<i>Enhance the preservation, security, and resilience of the regional transportation system</i>
Goal #4:	<i>Increase person and goods movement and travel choices within the transportation system</i>
Goal #5:	<i>Reduce greenhouse gas emissions and improve air quality</i>
Goal #6:	<i>Support healthy and equitable communities</i>
Goal #7:	<i>Adapt to a changing climate and support an integrated regional development pattern and transportation network</i>
Goal #8:	<i>Leverage new transportation technologies and data-driven solutions that result in more efficient travel</i>
Goal #9:	<i>Encourage development of diverse housing types in areas that are supported by multiple transportation options</i>
Goal #10:	<i>Promote conservation of natural and agricultural lands and restoration of habitats</i>

For ease of review, we encourage the use of a side-by-side comparison of SCAG goals with discussions of the consistency, non-consistency or non-applicability of the goals and supportive analysis in a table format. Suggested format is as follows:

SCAG CONNECT SOCIAL GOALS		
Goal		Analysis
Goal #1:	<i>Encourage regional economic prosperity and global competitiveness</i>	<i>Consistent: Statement as to why; Not-Consistent: Statement as to why; Or Not Applicable: Statement as to why; DEIR page number reference</i>
Goal #2:	<i>Improve mobility, accessibility, reliability and travel safety for people and goods</i>	<i>Consistent: Statement as to why; Not-Consistent: Statement as to why; Or Not Applicable: Statement as to why; DEIR page number reference</i>
etc.		etc.

Connect SoCal Strategies

To achieve the goals of Connect SoCal, a wide range of land use and transportation strategies are included in the accompanying twenty (20) technical reports. Of particular note are multiple strategies included in Chapter 3 of Connect SoCal intended to support implementation of the regional Sustainable Communities Strategy (SCS) framed within the context of focusing growth near destinations and mobility options; promoting diverse housing choices; leveraging technology innovations; supporting implementation of sustainability policies; and promoting a Green Region. To view Connect SoCal and the accompanying technical reports, please visit the [Connect SoCal webpage](#). Connect SoCal builds upon the progress from previous RTP/SCS cycles and continues to focus on integrated, coordinated, and balanced planning for land use and transportation that helps the SCAG region strive towards a more sustainable region, while meeting statutory requirements pertinent to RTP/SCSs. These strategies within the regional context are provided as guidance for lead agencies such as local jurisdictions when the proposed project is under consideration.

The 2020 Connect SoCal also identifies a goods movement system in the SCAG region and develops strategies to address expected growth trends and demands in goods movement. For further information on the goods movement strategies, please see the [2020 Connect SoCal Goods Movement Technical Report](#). For further information on industrial development and warehousing in Southern California, please see [Industrial Warehousing in the SCAG Region](#).

Connect SoCal identified Key Connections that lie at the intersection of land use, transportation and innovation meant to advance policy discussions and strategies to leverage new technologies and create better partnerships to increase progress on the regional goals. Accelerated Electrification is one of the Key Connections and was established to create a holistic and coordinated approach to de-carbonizing or electrifying passenger vehicles, transit, and goods movement vehicles. The Accelerated Electrification Key Connection sets a vision to reduce both the local and global emissions associated with multiple modes of transportation by deploying clean mobility solutions and the infrastructure needed to support them. SCAG staff encourages the lead agency to incorporate clean mobility solutions and supporting infrastructure into the project, as appropriate.

DEMOGRAPHICS AND GROWTH FORECASTS

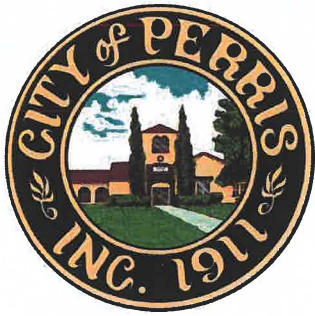
A key, formative step in projecting future population, households, and employment through 2045 for Connect SoCal was the generation of a forecast of regional and county level growth in collaboration with expert demographers and economists on Southern California. From there, jurisdictional level forecasts were ground-truthed by subregions and local agencies, which helped SCAG identify opportunities and barriers to future development. This forecast helps the region understand, in a very general sense, where we are expected to grow, and allows SCAG to focus attention on areas that are experiencing change and may have increased transportation needs. After a year-long engagement effort with all 197 jurisdictions one-on-one, 82 percent of SCAG's 197 jurisdictions provided feedback on the forecast

of future growth for Connect SoCal. SCAG also sought feedback on potential sustainable growth strategies from a broad range of stakeholder groups – including local jurisdictions, county transportation commissions, other partner agencies, industry groups, community-based organizations, and the general public. Connect SoCal utilizes a bottom-up approach in that total projected growth for each jurisdiction reflects feedback received from jurisdiction staff, including city managers, community development/planning directors, and local staff. Growth at the neighborhood level (i.e., transportation analysis zone (TAZ) reflects entitled projects and adheres to current general and specific plan maximum densities as conveyed by jurisdictions (except in cases where entitled projects and development agreements exceed these capacities as calculated by SCAG). Neighborhood level growth projections also feature strategies that help to reduce greenhouse gas emissions (GHG) from automobiles and light trucks to achieve Southern California’s GHG reduction target, approved by the California Air Resources Board (CARB) in accordance with state planning law. Connect SoCal’s Forecasted Development Pattern is utilized for long range modeling purposes and does not supersede actions taken by elected bodies on future development, including entitlements and development agreements. SCAG does not have the authority to implement the plan -- neither through decisions about what type of development is built where, nor what transportation projects are ultimately built, as Connect SoCal is adopted at the jurisdictional level. Achieving a sustained regional outcome depends upon informed and intentional local action. To access jurisdictional level growth estimates and forecasts for years 2016 and 2045, please refer to the [Connect SoCal Demographics and Growth Forecast Technical Report](#). The growth forecasts for the region and applicable jurisdictions are below.

	Adopted SCAG Region Wide Forecasts				Adopted City of Menifee Forecasts			
	Year 2020	Year 2030	Year 2035	Year 2045	Year 2020	Year 2030	Year 2035	Year 2045
Population	19,517,731	20,821,171	21,443,006	22,503,899	94,518	108,494	115,690	129,750
Households	6,333,458	6,902,821	7,170,110	7,633,451	34,287	41,223	44,704	51,226
Employment	8,695,427	9,303,627	9,566,384	10,048,822	17,787	24,250	26,393	29,210

MITIGATION MEASURES

SCAG staff recommends that you review the [Final Program Environmental Impact Report](#) (Final PEIR) for Connect SoCal for guidance, as appropriate. SCAG’s Regional Council certified the PEIR and adopted the associated Findings of Fact and a Statement of Overriding Considerations (FOF/SOC) and Mitigation Monitoring and Reporting Program (MMRP) on May 7, 2020 and also adopted a PEIR Addendum and amended the MMRP on September 3, 2020 (please see the [PEIR webpage](#) and scroll to the bottom of the page for the PEIR Addendum). The PEIR includes a list of project-level performance standards-based mitigation measures that may be considered for adoption and implementation by lead, responsible, or trustee agencies in the region, as applicable and feasible. Project-level mitigation measures are within responsibility, authority, and/or jurisdiction of project-implementing agency or other public agency serving as lead agency under CEQA in subsequent project- and site- specific design, CEQA review, and decision-making processes, to meet the performance standards for each of the CEQA resource categories.



CITY OF PERRIS

DEVELOPMENT SERVICES DEPARTMENT

PLANNING DIVISION

135 N. "D" Street, Perris, CA 92570-2200

TEL: (951) 943-5003 FAX: (951) 943-8379

January 13, 2023

Brett Hamilton, Senior Planner
City of Menifee
Community Development Department
Planning Division
29844 Haun Road
Menifee, CA 92586

SUBJECT: CITY OF PERRIS COMMENTS ON NOTICE OF PREPARATION - TRUMBLE ROAD / DAWSON ROAD/ ANTELOPE ROAD – 1.1 MILLION SQUARE FOOT MOTTE BUSINESS CENTER - MENIFEE PLANNING CASES TPM-38432 (PLN22-0114) AND MAJOR PLOT PLAN (PLN22-0115) – LOCATED SOUTH OF ETHANAC ROAD BETWEEN DAWSON ROAD AND ANTELOPE ROAD (APNs: 331-150-036, 331-150-037, 331-150-039, 331-150-040, 331-150-041, 331-150-042, 331-150-044, 331-150-045)

Dear Mr. Hamilton:

The City of Perris appreciates the opportunity to comment on the "Motte Business Center" ("Proposed Project") proposal to construct a tilt up industrial building totaling 1,138,638 square feet on a 43.94 acre project site, located generally south of Ethanac Road between Dawson Road and Antelope Road, within the City of Menifee.

The City provides the below comments in light of the Project's proximity to the City of Perris:

1. **California Environmental Quality Act (CEQA).** The Project needs to address the cumulative impacts of all projects within a 1.5-mile radius of the proposed site to analyze, mitigate, and disclose all environmental impacts from the Proposed Project pursuant to the California Environmental Quality Act (CEQA).
2. **Transportation**

Prior to further proceedings, to ensure consistency, the right-of-way widths and alignments of Ethanac Road shall be coordinated with the roadway designation as classified per City of Perris General Plan. The correlation will determine the extent of roadway improvements on Ethanac Road.

Listed below is City of Perris roadway designations for Ethanac Road:

- a. Ethanac Road is classified as an Expressway (184'/134') with a 14 foot wide raised landscaped median.
 - b. A Traffic Impact Analysis (TIA) shall be submitted for review. The analysis shall evaluate the percentage of impacts to roadways and intersections in City of Perris where fair share contribution for mitigating the impacts can be appropriated. The Study shall specifically analyze the required number of travel lanes on Ethanac Road, evaluate the widths and lengths of acceleration and deceleration lanes and turn lane pockets and the extent of improvements and controls on Ethanac Road.
 - c. The developer/property owner shall be advised that Riverside County Transportation Department, in cooperation with Caltrans, has proceeded with a Project Study report (PSR)/Project Development Support (PDS) for the I-215/Ethanac Road Interchange Improvements, of which may impact the development of the referenced project. The developer/property owner should contact Azan Junaid with Riverside County Transportation Department for information regarding the PSR/PDS.
3. **CEQA.** Please provide future notices prepared for the Project pursuant to the California Environmental Quality Act ("CEQA") under any provision of Title 7 of the California Government Code governing California Planning and Zoning Law which includes: notices of any public hearing held pursuant to CEQA, and notices of any scoping meeting held pursuant to Public Resources Code Section 21083.9.

The City of Perris thanks you for considering these comments. Please feel free to contact me at (951) 943-5003, extension 355, if you have any questions or would like to discuss the above concern in further detail.

Sincerely,

Patricia Brenes
Planning Manager

Cc: Clara Miramontes, City Manager
Wendell Bugtai, Assistant City Manager
Robert Khuu, City Attorney
Kenneth Phung, Director of Development Services
Stuart McKibbin, City Engineer



December 6, 2022

Mr. Brett Hamilton
City of Menifee
Community Development Department
29844 Haun Road
Menifee, CA 92586

Subject: EMWD Comments for the Motte Business Center Project Notice of Preparation of A Draft Environmental Impact Report

APN: 331-150-036, 037, 039, 040, 041, 042, 044 and 045

Location: Southeast of the interstate 215/Ethanac Road interchange in the northeastern part of the City of Menifee, Riverside County, California.

Dear Mr. Brett Hamilton:

Eastern Municipal Water District (EMWD) thanks you for the opportunity to comment on the Motte Business Center Project, Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR). The project proposes the construction of a concrete tilt-up building that would total 1,138,638 square feet (including 10,000 square feet of office space and 200,000 square feet of mezzanine) and parking with 610 automobile spaces and 282 truck trailer parking spaces. Associated facilities and improvements of the project include loading dock doors, on-site landscaping, and related on-site and off-site improvements (roadway improvements, sewer, storm drain, utilities).

EMWD offers the following comments:

To define the impact(s) on the environment and on existing EMWD facilities, and as development within this area occurs over time, the proponents of implementing development projects shall consult EMWD's Development Services Department to compare proposed and existing water demands and sewer flows,

Board of Directors

Philip E. Paule, *President* Randy A. Record, *Vice President* Jeff Armstrong Stephen J. Corona David J. Slawson

2270 Trumble Road • P.O. Box 8300 • Perris, CA 92572-8300

T 951.928.3777 • F 951.928.6177 www.emwd.org

and prepare a Design Conditions report (DC), formally known as the Plan of Service (POS), to detail all pertinent facilities necessary to serve such implementing development projects, resulting in an approved DC, prior to final design and plan check of such facilities.

To help define EMWD's Design Conditions, EMWD requires beginning dialogue with project proponents at an early stage in the site design and development, via a one-hour complementary Due Diligence meeting. To set up this meeting the project proponent should complete a Project Questionnaire (form NBD-058) and submit to EMWD. To download this form or for additional information, please visit our web page www.emwd.org, then select the "Developer" link, then select the "New Development Process Forms" link. This meeting will offer the following benefits:

1. Describe EMWD's development process
2. Identify project scope and parameters
3. Provide a preliminary review of the project within the context of existing infrastructure
4. Discuss potential candidacy for recycled water service
5. Identify project submittal requirements to start the Design Conditions review

Following the Due Diligence meeting, and to proceed with a project, the Design Conditions will need to be developed by the developer's engineer and reviewed/approved by EMWD prior to submitting improvement plans for Plan Check. The DC process and approval will provide the following:

1. Technical evaluation of the project's demands and existing system capacities
2. Identification of impacts to existing facilities
3. Identification of additional on-site and off-site facilities, necessary to serve the project
4. Identification of easement requirements, if necessary
5. Identification of potential EMWD's cost participation in facility oversizing, if applicable

If you have questions or concerns, please do not hesitate to contact Maroun El-Hage at (951) 928-3777, extension 4468 or by e-mail at El-hagem@emwd.org.

Sincerely,

Alfred Javier
Director of Environmental and Regulatory Compliance

ARJ: hs

Attachments: Copy of Public Notice



NATIVE AMERICAN HERITAGE COMMISSION

December 5, 2022

Brett Hamilton, Senior Planner
City of Menifee
29844 Haun Road
Menifee, CA 92586

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NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov
NAHC.ca.gov

Re: 2022120083, Motte Business Center Project, Riverside County

Dear Mr. Hamilton:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:

Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

- a. A brief description of the project.
- b. The lead agency contact information.
- c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
- d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).

2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report:

A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).

- a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).

3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

- a. Alternatives to the project.
- b. Recommended mitigation measures.
- c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).

4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:

- a. Type of environmental review necessary.
- b. Significance of the tribal cultural resources.
- c. Significance of the project's impacts on tribal cultural resources.
- d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).

5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).

6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

- a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
- b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

- 7. Conclusion of Consultation:** Consultation with a tribe shall be considered concluded when either of the following occurs:
- The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).

8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).

9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).

10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:

- Avoidance and preservation of the resources in place, including, but not limited to:
 - Planning and construction to avoid the resources and protect the cultural and natural context.
 - Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
- Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - Protecting the cultural character and integrity of the resource.
 - Protecting the traditional use of the resource.
 - Protecting the confidentiality of the resource.
- Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
- Protecting the resource. (Pub. Resource Code §21084.3 (b)).
- Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
- Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).

11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:

- The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
- The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
- The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18's provisions include:

1. **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation.** There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation:** Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>.

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (https://ohp.parks.ca.gov/?page_id=30331) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
 - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
 - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, § 15064.5(f) (CEQA Guidelines § 15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code § 7050.5, Public Resources Code § 5097.98, and Cal. Code Regs., tit. 14, § 15064.5, subdivisions (d) and (e) (CEQA Guidelines § 15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address:
Andrew.Green@nahc.ca.gov.

Sincerely,



Andrew Green
Cultural Resources Analyst

cc: State Clearinghouse



01/16/2023

VIA EMAIL ONLY

Brett Hamilton, Senior Planner
City of Menifee, Community Development Department
29844 Haun Road
Menifee, CA 92586
bhamilton@cityofmenifee.us

RE: NOP Comments for Motte Business Center Project

Dear Mr. Hamilton,

Thank you for providing Californians Allied for a Responsible Economy ("CARE CA") with the opportunity to comment on the Notice of Preparation ("NOP") for the Motte Business Center Project (the "Project") Draft Environmental Impact Report (DEIR). The proposed Project would include the construction of a concrete tilt-up building that would total 1,138,638 square feet, including 10,000 square feet of office space, and 200,000 square feet of mezzanine. The Project requires approval for Plot Plan and Vesting Tentative Parcel Map.

The Initial Study ("IS") identifies the Project's potentially significant impacts under CEQA to include Aesthetics, Agriculture, Air Quality, Biological Resources, Cultural Resources, Energy, Geology/Soils, Greenhouse Gases, Hazards and Hazardous Materials, Hydrology/Water Quality, Land Use/Planning, Mineral Resources, Noise, Population/ housing, Public Services, Transportation/Traffic, Tribal Cultural Resources, and Utilities/Service Systems, and Wildfire. CARE CA respectfully requests, under CEQA complete analysis of these impacts, imposition of all feasible mitigation and study of a reasonable range of alternatives, including at least two environmentally superior alternatives to the Project.

In addition, we request that the City take into consideration the following comments:

i) Project Description: Based on the description, the Project will most likely be operated as a warehouse. Given that there are many different types of high cube warehouses,¹ the DEIR must include clearly articulated assumptions regarding the type and mix of warehouse uses that

¹ <http://newpromisefarms.com/files/2018/07/HighCube-Warehouse-Oct-2016-Study-ITE.pdf>

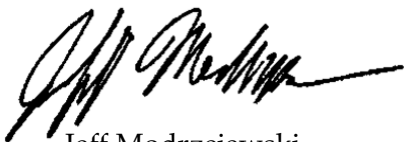
would likely occupy the massive warehouse space. The DEIR should study a reasonable most impactful scenario that includes potential cold storage space. Inclusion of cold storage space means that the DEIR should study the impacts of trucks and trailers equipped with transport refrigeration units (TRU) that emit large quantities of diesel exhaust. In addition, the DEIR analysis should specify the types of refrigerants that will be used in the cooling systems because different types of refrigerants have different impacts on GHG and energy efficiency.

If the Project will not include cold storage, then the City must include California Air Resources Board (CARB) recommended design measures in the DEIR. CARB recommends requiring contractual language in tenant lease agreements or restrictive covenant over parcel to prohibit use of TRUs.

ii) Air Quality & Public Health: Undoubtably, the logistics industry is a major contributor of air pollutants across Southern California. We are concerned about the Project's impacts on air quality as hundreds of daily trips by heavy duty trucks and trailers go in and out of the Project site. The City must make all efforts to minimize air quality effects to the greatest extent possible. This in part means that a mobile source Health Risk Assessment must be prepared as part of the DEIR. The HRA should include both construction and operational diesel PM emissions and cancer risk assessment, and also account for other emission sources such as backup generators.

Thank you for the opportunity to submit NOP comments. CARE CA respectfully urges the City to take this opportunity to protect the environment and the community to the maximum extent feasible. We look forward to reviewing and commenting on subsequent environmental review documents when these documents are released for public review.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeff Modrzejewski', with a long horizontal flourish extending to the right.

Jeff Modrzejewski
Executive Director



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

SENT VIA E-MAIL:

January 16, 2023

bhamilton@cityofmenifee.us

Brett Hamilton, Senior Planner

City of Menifee

Community Development Department

29844 Haun Road

Menifee, California 92586

Notice of Preparation of a Draft Environmental Impact Report for the Motte Business Center

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. Our comments are recommendations on the analysis of potential air quality impacts from the Proposed Project that should be included in the Draft Environmental Impact Report (EIR). Please send a copy of the Draft EIR upon its completion and public release directly to South Coast AQMD as copies of the Draft EIR submitted to the State Clearinghouse are not forwarded.

In addition, please send all appendices and technical documents related to the air quality, health risk, and greenhouse gas analyses and electronic versions of all emission calculation spreadsheets, and air quality modeling and health risk assessment input and output files (not PDF files). Any delays in providing all supporting documentation for our review will require additional review time beyond the end of the comment period.

CEQA Air Quality Analysis

Staff recommends that the Lead Agency use South Coast AQMD's CEQA Air Quality Handbook and website¹ as guidance when preparing the air quality and greenhouse gas analyses. It is also recommended that the Lead Agency use the CalEEMod² land use emissions software, which can estimate pollutant emissions from typical land use development and is the only software model maintained by the California Air Pollution Control Officers Association.

South Coast AQMD has developed both regional and localized significance thresholds. South Coast AQMD staff recommends that the Lead Agency quantify criteria pollutant emissions and compare the emissions to South Coast AQMD's CEQA regional pollutant emissions significance thresholds³ and localized significance thresholds (LSTs)⁴ to determine the Proposed Project's air quality impacts. The localized analysis can be conducted by either using the LST screening tables or performing dispersion modeling.

The Lead Agency should identify any potential adverse air quality impacts that could occur from all phases of the Proposed Project and all air pollutant sources related to the Proposed Project. Air quality impacts from both construction (including demolition, if any) and operations should be calculated.

¹ South Coast AQMD's CEQA Handbook and other resources for preparing air quality analyses can be found at: <http://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook>.

² CalEEMod is available free of charge at: www.caleemod.com.

³ South Coast AQMD's CEQA regional pollutant emissions significance thresholds can be found at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf>.

⁴ South Coast AQMD's guidance for performing a localized air quality analysis can be found at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/localized-significance-thresholds>.

Construction-related air quality impacts typically include, but are not limited to, emissions from the use of heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips, and hauling trips). Operation-related air quality impacts may include, but are not limited to, emissions from stationary sources (e.g., boilers and air pollution control devices), area sources (e.g., solvents and coatings), and vehicular trips (e.g., on- and off-road tailpipe emissions and entrained dust). Air quality impacts from indirect sources, such as sources that generate or attract vehicular trips, should be included in the analysis. Furthermore, emissions from the overlapping construction and operational activities should be combined and compared to South Coast AQMD's regional air quality CEQA operational thresholds to determine the level of significance.

If the Proposed Project generates diesel emissions from long-term construction or attracts diesel-fueled vehicular trips, especially heavy-duty diesel-fueled vehicles, it is recommended that the Lead Agency perform a mobile source health risk assessment⁵.

In the event that implementation of the Proposed Project requires a permit from South Coast AQMD, South Coast AQMD should be identified as a Responsible Agency for the Proposed Project in the Draft EIR. The assumptions in the air quality analysis in the EIR will be the basis for evaluating the permit under CEQA and imposing permit conditions and limits. Questions on permits should be directed to South Coast AQMD's Engineering and Permitting staff at (909) 396-3385.

South Coast AQMD staff is concerned about potential public health impacts of siting warehouses within close proximity of sensitive land uses, especially in communities that are already heavily affected by the existing warehouse and truck activities. The South Coast AQMD's Multiple Air Toxics Exposure Study (MATES V), completed in August 2021, concluded that the largest contributor to cancer risk from air pollution is diesel particulate matter (DPM) emissions⁶. According to the MATES V Carcinogenic Risk interactive Map, the area surrounding the Proposed Project has an estimated cancer risk over 280 in one million⁷. Operation of warehouses generates and attracts heavy-duty diesel-fueled trucks that emit DPM. When the health impacts from the Proposed Project are added to those existing impacts, residents living in the communities surrounding the Proposed Project will possibly face an even greater exposure to air pollution and bear a disproportionate burden of increasing health risks.

Mitigation Measures

In the event that the Proposed Project results in significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized to minimize these impacts. Any impacts resulting from mitigation measures must also be analyzed. Several resources to assist the Lead Agency with identifying potential mitigation measures for the Proposed Project include South Coast AQMD's CEQA Air Quality Handbook,⁸ South Coast AQMD's Mitigation Monitoring and Reporting Plan for the 2022 Air Quality Management Plan,⁹ and Southern California Association of

⁵ South Coast AQMD's guidance for performing a mobile source health risk assessment can be found at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis>.

⁶ South Coast AQMD. August 2021. *Multiple Air Toxics Exposure Study in the South Coast Air Basin V*. Available at: <http://www.aqmd.gov/home/air-quality/air-quality-studies/health-studies/mates-v>.

⁷ South Coast AQMD. MATES V Data Visualization Tool. Accessed at: [MATES Data Visualization \(arcgis.com\)](https://www.aqmd.gov/home/air-quality/air-quality-studies/health-studies/mates-v).

⁸ <https://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook>

⁹ South Coast AQMD's 2022 Air Quality Management Plan can be found at: <http://www.aqmd.gov/home/air-quality/clean-air-plans/air-quality-mgt-plan> (Chapter 4 - Control Strategy and Implementation).

Government's Mitigation Monitoring and Reporting Plan for the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy.¹⁰

Mitigation measures for operational air quality impacts from mobile sources that the Lead Agency should consider in the Draft EIR may include the following:

- Require zero-emissions (ZE) or near-zero emission (NZE) on-road haul trucks such as heavy-duty trucks with natural gas engines that meet the CARB's adopted optional NOx emissions standard at 0.02 grams per brake horsepower-hour (g/bhp-hr), if and when feasible. Given the state's clean truck rules and regulations aiming to accelerate the utilization and market penetration of ZE and NZE trucks such as the Advanced Clean Trucks Rule¹¹ and the Heavy-Duty Low NOx Omnibus Regulation¹², ZE and NZE trucks will become increasingly more available to use. The Lead Agency should require a phase-in schedule to incentive the use of these cleaner operating trucks to reduce any significant adverse air quality impacts. South Coast AQMD staff is available to discuss the availability of current and upcoming truck technologies and incentive programs with the Lead Agency. At a minimum, require the use of 2010 model year¹³ that meet CARB's 2010 engine emissions standards at 0.01 g/bhp-hr of particulate matter (PM) and 0.20 g/bhp-hr of NOx emissions or newer, cleaner trucks. Include environmental analyses to evaluate and identify sufficient electricity and supportive infrastructures in the Energy and Utilities and Service Systems Sections in the CEQA document, where appropriate. Include the requirement in applicable bid documents, purchase orders, and contracts. Operators shall maintain records of all trucks associated with project construction to document that each truck used meets these emission standards, and make the records available for inspection. The Lead Agency should conduct regular inspections to the maximum extent feasible to ensure compliance.
- Limit the daily number of trucks allowed at the Proposed Project to levels analyzed in the Final CEQA document. If higher daily truck volumes are anticipated to visit the site, the Lead Agency should commit to re-evaluating the Proposed Project through CEQA prior to allowing this higher activity level.
- Provide electric vehicle (EV) charging stations or at a minimum, provide the electrical infrastructure and electrical panels should be appropriately sized. Electrical hookups should be provided for truckers to plug in any onboard auxiliary equipment.

Mitigation measures for operational air quality impacts from other area sources that the Lead Agency should consider in the Draft EIR may include the following:

- Maximize use of solar energy by installing solar energy arrays.

¹⁰ Southern California Association of Governments' 2020-2045 RTP/SCS can be found at:

https://www.connectsocal.org/Documents/PEIR/certified/Exhibit-A_ConnectSoCal_PEIR.pdf.

¹¹ CARB. June 25, 2020. *Advanced Clean Trucks Rule*. Accessed at: <https://ww2.arb.ca.gov/our-work/programs/advanced-clean-trucks>.

¹² CARB has recently passed a variety of new regulations that require new, cleaner heavy-duty truck technology to be sold and used in state. For example, on August 27, 2020, CARB approved the Heavy-Duty Low NOx Omnibus Regulation, which will require all trucks to meet the adopted emission standard of 0.05 g/bhp-hr starting with engine model year 2024. Accessed at: <https://ww2.arb.ca.gov/rulemaking/2020/hdomnibuslownox>.

¹³ CARB adopted the statewide Truck and Bus Regulation in 2010. The Regulation requires diesel trucks and buses that operate in California to be upgraded to reduce emissions. Newer heavier trucks and buses must meet particulate matter filter requirements beginning January 1, 2012. Lighter and older heavier trucks must be replaced starting January 1, 2015. By January 1, 2023, nearly all trucks and buses will need to have 2010 model year engines or equivalent. More information on the CARB's Truck and Bus Regulation is available at: <https://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm>.

- Use light colored paving and roofing materials.
- Utilize only Energy Star heating, cooling, and lighting devices, and appliances.
- Use of water-based or low VOC cleaning products that go beyond the requirements of South Coast AQMD Rule 1113.

Design considerations for the Proposed Project that the Lead Agency should consider to further reduce air quality and health risk impacts include the following:

- Clearly mark truck routes with trailblazer signs, so that trucks will not travel next to or near sensitive land uses (e.g., residences, schools, day care centers, etc.).
- Design the Proposed Project such that truck entrances and exits are not facing sensitive receptors and trucks will not travel past sensitive land uses to enter or leave the Proposed Project site.
- Design the Proposed Project such that any check-in point for trucks is inside the Proposed Project site to ensure that there are no trucks queuing outside.
- Design the Proposed Project to ensure that truck traffic inside the Proposed Project site is as far away as feasible from sensitive receptors.
- Restrict overnight truck parking in sensitive land uses by providing overnight truck parking inside the Proposed Project site.

On May 7, 2021, South Coast AQMD's Governing Board adopted Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program, and Rule 316 – Fees for Rule 2305. Rules 2305 and 316 are new rules that will reduce regional and local emissions of nitrogen oxides (NO_x) and particulate matter (PM), including diesel PM. These emission reductions will reduce public health impacts for communities located near warehouses from mobile sources that are associated with warehouse activities. Also, the emission reductions will help the region attain federal and state ambient air quality standards. Rule 2305 applies to owners and operators of warehouses greater than or equal to 100,000 square feet. Under Rule 2305, operators are subject to an annual WAIRE Points Compliance Obligation that is calculated based on the annual number of truck trips to the warehouse. WAIRE Points can be earned by implementing actions in a prescribed menu in Rule 2305, implementing a site-specific custom plan, or paying a mitigation fee. Warehouse owners are only required to submit limited information reports, but they can opt in to earn Points on behalf of their tenants if they so choose because certain actions to reduce emissions may be better achieved at the warehouse development phase, for instance the installation of solar and charging infrastructure. Rule 316 is a companion fee rule for Rule 2305 to allow South Coast AQMD to recover costs associated with Rule 2305 compliance activities. Since the Proposed Project consists of the development of a 1,138,638 square foot warehouse, the Proposed Project's warehouse owners and operators will be required to comply with Rule 2305 once the warehouse is occupied. Therefore, South Coast AQMD staff recommends that the Lead Agency review South Coast AQMD Rule 2305 to determine the potential WAIRE Points Compliance Obligation for future operators and explore whether additional project requirements and CEQA mitigation measures can be identified and implemented at the Proposed Project that may help future warehouse operators meet their compliance obligation¹⁴. South Coast AQMD staff is available to answer questions concerning Rule 2305 implementation and compliance by phone or email at (909) 396-3140 or waire-program@aqmd.gov. For implementation guidance documents and compliance and reporting tools, please visit South Coast AQMD's WAIRE Program webpage¹⁵.

¹⁴ South Coast AQMD Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-xxiii/r2305.pdf>.

¹⁵ South Coast AQMD WAIRE Program. Accessed at: <http://www.aqmd.gov/waire>.

South Coast AQMD staff is available to work with the Lead Agency to ensure that air quality, greenhouse gas, and health risk impacts from the Proposed Project are accurately evaluated and mitigated where feasible. If you have any questions regarding this letter, please contact me at swang1@aqmd.gov.

Sincerely,

Sam Wang

Sam Wang
Program Supervisor, CEQA IGR
Planning, Rule Development & Implementation

SW
RVC221206-01
Control Number



Hans W. Kernkamp, General Manager-Chief Engineer

SENT VIA EMAIL ONLY

bhamilton@cityofmenifee.us

December 27, 2022

Brett Hamilton, Senior Planner
City of Menifee (City)
Community Development Department
29844 Huan Road
Menifee, CA 92586

RE: Notice of Preparation (NOP) and Public Scoping Meeting Notice for a Draft Environmental Impact Report (DEIR) for the proposed "Motte Business Center" Project; Vesting Tentative Parcel Map (TPM) No. 38432 (PLN22-0114), and Major Plot Plan No. (PLN22-0115)

Dear Mr. Hamilton:

The Riverside County Department of Waste Resources (RCDWR) has reviewed the NOP addressing a DEIR for the proposed Motte Business Center Project (Project). The Project includes various development applications to allow a concrete tilt-up industrial building and associated improvements. The Project site consists of predominately vacant undeveloped land that has been subject to a variety of anthropogenic disturbances associated with other prior ground disturbance activities and discing. The RCDWR offers the following comments for your consideration while preparing the Project's DEIR.

1. Construction of the Project may generate a substantial quantity of construction and demolition (C&D) waste. Should a large quantity of C&D waste be brought to a County landfill for disposal, it could exceed the landfill's daily permitted capacity, thus a violation of state regulations.¹ To assess waste impacts, the DEIR should consider quantitatively analyzing this potential solid waste impact and discuss feasible mitigation programs/regulatory compliance.

Note: CalRecycle's website may be helpful to determine the Project's waste generation:

<https://www2.calrecycle.ca.gov/WasteCharacterization/General/Rates>

2. The following information can be useful in the analysis of the solid waste impacts:
 - a) Solid waste generated within the Project area is collected by Waste Management Inc. (WMI), with the bulk of recyclable waste and green waste delivered to the Moreno Valley Solid Waste Recycling and Transfer Station (MVTs) for processing. The facility is located at 17700 Indian Street in Moreno Valley. It is permitted for a 2,500 tons per day (tpd) operation.

¹ Title 40, Vol. 41 C.F.R § 243.203 *et seq.* (1976).

- b) While the El Sobrante Landfill is the closest landfill to Project site, the City's waste hauler could also use the Lamb Canyon Landfill and the Badlands Landfill for disposal of the City's residual waste. Descriptions of the local landfills are provided below:

El Sobrante Landfill:

The El Sobrante Landfill is located east of Interstate 15 and Temescal Canyon Road to the south of the City of Corona and Cajalco Road at 10910 Dawson Canyon Road. The landfill is owned and operated by USA Waste of California, a subsidiary of Waste Management, Inc., and encompasses 1,322 acres, of which 645 acres are permitted for landfill operation. The El Sobrante Landfill has a total disposal capacity of approximately 209.9 million cubic yards and can receive up to 70,000 tons per week (tpw) of refuse. USA Waste must allot at least 28,000 tpw for County refuse. The landfill's permit allows a maximum of 16,054 tons per day (tpd) of waste to be accepted into the landfill, due to the limits on vehicle trips. If needed, 5,000 tpd must be reserved for County waste, leaving the maximum commitment of Non-County waste at 11,054 tpd. Per the 2021 Annual Report, the landfill had a remaining in-County disposal capacity of approximately 50.1 million tons.² In 2021, the El Sobrante Landfill accepted a daily average of 10,749 tons with a period total of approximately 3,321,315 tons. The landfill is expected to reach capacity in approximately 2057.

Lamb Canyon Landfill:

The Lamb Canyon Landfill is located between the City of Beaumont and City of San Jacinto at 16411 Lamb Canyon Road (State Route 79), south of Interstate 10 and north of Highway 74. The landfill is owned and operated by Riverside County. The landfill property encompasses approximately 1,189 acres, of which 703.4 acres encompass the current landfill permit area. Of the 703.4-acre landfill permit area, approximately 144.6 acres are permitted for waste disposal. The landfill is currently permitted to receive 5,000 tpd of MSW for disposal and 500 tpd for beneficial reuse. The site has an estimated total disposal capacity of approximately 20.7 million tons.³ As of January 1, 2022 (beginning of day), the landfill has a total remaining capacity of approximately 7.5 million tons.⁴ The current landfill remaining disposal capacity is estimated to last, at a minimum, until approximately 2032.⁵ From January 2021 to December 2021, the Lamb Canyon Landfill accepted a daily average of 2,054 tons with a period total of approximately 632,755 tons. Landfill expansion potential exists at the Lamb Canyon Landfill site.

Badlands Landfill:

The Badlands Landfill is located northeast of the City of Moreno Valley at 31125 Ironwood Avenue and accessed from State Highway 60 at Theodore Avenue. The landfill is owned and operated by Riverside County. The existing landfill encompasses 1,168.3 acres, with a total permitted disturbance area of 278 acres, of which 150 acres are permitted for refuse disposal. The landfill is currently permitted to receive 4,500 tpd of MSW for disposal and 300 tpd for beneficial reuse. The site has an estimated

² 2021 El Sobrante Landfill Annual Report- Based on 125,193,774 tons remaining capacity (40% for in-county waste).

³ GASB 18_2021 – Engineering Estimate for total landfill capacity

⁴ GASB 18_2021 & SiteInfo

⁵ SWFP # 33-AA-0007

total capacity of approximately 20.5 million tons.⁶ As of January 1, 2022 (beginning of day), the landfill had a total remaining disposal capacity of approximately 3.4 million tons.⁷ The current landfill remaining disposal capacity is estimated to last, at a minimum, until approximately 2022.⁸ From January 2021 to December 2021, the Badlands Landfill accepted a daily average of 2,821 tons with a period total of approximately 871,816 tons. Landfill expansion potential exists at the Badlands Landfill site.

3. Additionally, you may wish to consider incorporating the following measures to help reduce the Project's anticipated solid waste impacts and enhance efforts to comply with the State's mandate (AB 75) of 50% solid waste diversion from landfilling⁹:

- The use of mulch and/or compost in the development and maintenance of landscaped areas within the project boundaries is recommended. Recycle green waste through either onsite composting of grass, i.e., leaving the grass clippings on the lawn, or sending separated green waste to a composting facility.
- Consider xeriscaping and the use of drought tolerant low maintenance vegetation in all landscaped areas of the project.
- Hazardous materials are not accepted at the Riverside County landfills. Any hazardous wastes, including paint, used during construction must be properly disposed of at a licensed facility in accordance with local, state and federal regulations. For further information regarding the determination, transport, and disposal of hazardous waste, please contact the Riverside County Department of Health, Environmental Protection and Oversight Division, at 1.888.722.4234.
- AB 341 focuses on increased commercial waste recycling as a method to reduce greenhouse gas (GHG) emissions.¹⁰ The regulation requires businesses and organizations that generate four or more cubic yards of waste per week and multifamily units of 5 or more, to recycle. A business shall take at least one of the following actions in order to reuse, recycle, compost, or otherwise divert commercial solid waste from disposal:
 - Source separate recyclable and/or compostable material from solid waste and donate or self-haul the material to recycling facilities.
 - Subscribe to a recycling service with waste hauler.
 - Provide recycling service to tenants (if commercial or multi-family complex).
 - Demonstrate compliance with requirements of California Code of Regulations Title 14.

⁶ GASB_18_2021 – Engineering Estimate for total landfill capacity

⁷ GASB_18_2021 & SiteInfo

⁸ SWFP # 33-AA-0006

⁹ A.B. 75, Chapter 764, 1999-2000 Strom-Martin, (Cal. 1999).

¹⁰ A.B. 341, Chapter 476, 2011-2012 Chesbro, (Cal. 2011).

For more information, please visit:
<http://www.rcwaste.org/business/recycling/mcr>

- AB 1826 requires businesses and multifamily complexes to arrange for organic waste recycling services.¹¹ Those subject to AB 1826 shall take at least one of the following actions in order to divert organic waste from disposal:
 - Source separate organic material from all other recyclables and donate or self-haul to a permitted organic waste processing facility.
 - Enter into a contract or work agreement with gardening or landscaping service provider or refuse hauler to ensure the waste generated from those services meet the requirements of AB 1826.
- Demonstrate compliance with SB 1383 which establishes regulations to reduce organics waste disposal and went into effect on January 1, 2022.¹² This law establishes methane emissions reduction targets in a statewide effort to reduce emissions of short-lived climate pollutants caused by organics waste disposal.

Thank you for allowing us the opportunity to comment on the NOP. Please continue to include the RCDWR in future transmittals. Please email me at khesterl@rivco.org if you have any questions regarding the above comments.

Sincerely,



Kinika Hesterly
Principal Planner

DM# 307685

¹¹ A.B. 1826, Chapter 727, 2013-2014 Chesbro, (Cal. 2014).

¹² A.B 1383, Chapter 395, 2015-2016 Lara, (Cal. 2016).